

REMARKS

The Office Action mailed on November 2, 2005 has been noted, and its contents carefully studied. The undersigned representative respectfully requests reconsideration of the rejections under 35 U.S.C. § 112, 102 and 103 in light of the above amendments and these remarks.

Claims 14-27 are pending in the present application. Claims 28 and 29 have been added. The pending claims stand rejected as indicated below. Claims 14-27 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 14-17 and 19-20 are rejected under 35 U.S.C. § 102(b) as being unpatentable over the teachings of McDonald. Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the teachings of McDonald (US 2,355,091). Claim 21 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the teachings of McDonald in view of the teachings of Bussells (US 808,193).

Rejection of claims 14-27 under 35 U.S.C. § 112, second paragraph

In the present Office Action, claims 14-27 are rejected as being indefinite for a plurality of reasons. The undersigned representative respectfully requests reconsideration in view of the above amendments and the following remarks.

Claim 14 is rejected as indefinite for recitation of the phrase “which screw compressor;” in response thereto, the undersigned representative has amended the claim to recite “the screw compressor” and therefore respectfully requests that this rejection be withdrawn. Claim 14 is also rejected for lack of antecedent basis for “the pitch;” in response thereto, the undersigned representative has amended in a manner that is believed to overcome this rejection, and therefore respectfully requests that this rejection be withdrawn. Claim 14 is also rejected as indefinite for recitation of the term “which” in line 3; in response thereto, the undersigned representative has

amended the claim to remove the word “which” and therefore respectfully requests that this rejection be withdrawn. Claim 14 is also rejected for lack of antecedent basis for “the longitudinal direction;” in response thereto, the undersigned representative has amended the claim in a manner that is believed to overcome this rejection, and therefore respectfully requests that this rejection be withdrawn. Claim 14 is also rejected for recitation of the term “which casing;” in response thereto, the undersigned representative has amended the claim to instead recite “the casing” and therefore respectfully requests that this rejection be withdrawn. Claim 14 is also rejected for recitation of the phrase “the matter that passes the screw compressor;” per the Examiner’s suggestion, the undersigned representative has amended the claim to recite “the matter that passes through the screw compressor” and therefore respectfully requests that this rejection be withdrawn.

Claim 14 is also rejected for recitation of the limitation “where the pitch of the screw thread is greater, to an outlet end of the screw compressor where the pitch of the screw thread is smaller.” The Office Action asserts that “it is unclear how the same pitch of the screw thread can be greater and smaller at two separate ends.” The undersigned representative respectfully disagrees with this finding of indefiniteness. As is recited earlier in the claim, the threading of the screw has a pitch that “decreases in the longitudinal direction of the screw” (which limitation has not been held to be indefinite), i.e., the pitch is greater at one end of the screw compared to the other. The limitation “an inlet end of the screw compressor where the pitch of the screw thread is greater to an outlet end of the screw compressor where the pitch thread is smaller” therefore orients the inlet and outlet ends of the screw compressor in relation to this decrease in pitch along the longitudinal direction of the screw. This finds support in, e.g., pages 4-5 of the specification and figures 1 and 4. For at least these reasons, the undersigned representative

respectfully submits that recitation of this limitation does not render claim 14 indefinite, and respectfully requests that the rejection be withdrawn.

Claim 15 is rejected for lack of antecedent basis for “the degree of compression;” in response thereto, the undersigned representative has amended the claim to recite “a degree of compression” and therefore respectfully requests that this rejection be withdrawn.

Claim 17 is rejected for recitation of “20% of the of the length;” per the Examiner’s suggestion, the undersigned representative has amended the claim to recite “20% of the length” and therefore respectfully requests that this rejection be withdrawn.

Claim 20 is rejected for reciting “a water-tight casing,” where it is unclear whether the water-tight casing recited in claim 19. In response thereto, the undersigned representative has amended the claim in a manner which is believed to overcome this rejection, and respectfully requests that this rejection be withdrawn.

Claim 22 is rejected for recitation of “which method’ in line 2 of the claim; in response thereto, the undersigned representative has amended the claim to recite “the method” and therefore respectfully requests that this rejection be withdrawn. Claim 22 is also rejected for lack of antecedent basis for “the pitch;” in response thereto, the undersigned representative has amended in a manner that is believed to overcome this rejection, and therefore respectfully requests that this rejection be withdrawn. Claim 22 is also rejected as indefinite for recitation of the term “which” in line 4; in response thereto, the undersigned representative has amended the claim to remove the word “which” and therefore respectfully requests that this rejection be withdrawn. Claim 22 is also rejected for lack of antecedent basis for “the longitudinal direction;” in response thereto, the undersigned representative has amended the claim in a manner that is believed to overcome this rejection, and therefore respectfully requests that this

rejection be withdrawn. Claim 22 is also rejected for lack of antecedent basis for “the dewatered matter;” in response thereto, the undersigned representative has amended the claim to instead recite “wet matter with a dry content of at least 35%,” antecedent basis for which is found in the claim, and therefore respectfully requests that this rejection be withdrawn. Claim 22 is also rejected for reciting “the washing agent that is supplied to the wet matter” in step (h); in response thereto, the undersigned representative has amended the claim to recite “the washing agent that is supplied to the wet matter with a dry content of at least 35%,” and therefore respectfully requests that this rejection be withdrawn.

Claim 22 is also rejected for recitation of the limitation “where the pitch of the screw thread is greater, to an outlet end of the screw compressor where the pitch of the screw thread is smaller.” The Office Action asserts that “it is unclear how the same pitch of the screw thread can be greater and smaller at two separate ends.” The undersigned representative respectfully disagrees with this finding of indefiniteness. As is recited earlier in the claim, the threading of the screw has a pitch that “decreases in the longitudinal direction of the screw” (which limitation has not been held to be indefinite), i.e., the pitch is greater at one end of the screw compared to the other. The limitation “an inlet end of the screw compressor where the pitch of the screw thread is greater to an outlet end of the screw compressor where the pitch thread is smaller” therefore orients the inlet and outlet ends of the screw compressor in relation to this decrease in pitch along the longitudinal direction of the screw. This finds support in, e.g., pages 4-5 of the specification and figures 1 and 4. For at least these reasons, the undersigned representative respectfully submits that recitation of this limitation does not render claim 22 indefinite, and respectfully requests that the rejection be withdrawn.

Rejection of claims 14-17 and 19-20 under 35 U.S.C. § 102(b)

In the present Office Action, claims 14-17 and 19-20 are rejected as being anticipated by the teachings of McDonald. Briefly, the Office Action asserts that McDonald discloses a screw compressor comprising a screw with an outer threading, the outer threading having a plurality of pitches that decreases in the longitudinal direction of the screw, an outer casing having an inner side that faces the thread of the screw, appliances that prevent matter passing through the screw from rotating along with the screw, a conduit for liquid supply arranged inside the screw and having a mouth on the outside of the screw (thus rotating with the screw), and that the screw compressor is arranged to press the liquid that is supplied to the matter via the mouth of the conduit axially backward in the longitudinal direction of the screw and towards the inlet end of the screw compressor.

In response thereto, the undersigned representative has amended claim 14 to recite that:

“the screw compressor is arranged so that the liquid that is supplied to the matter that passes through the screw compressor is pressed axially backwards through the screw compressor towards the inlet end of the screw compressor.”

This limitation is also substantially recited in claim 22, which the Office Action indicates is allowable (if rewritten to overcome the rejections under 35 U.S.C. § 112) as “none of the references discloses or fairly suggests, the washing agent that is supplied to the dewatered matter is pressed axially backward through the screw compressor toward the inlet end of the screw compressor, in combination with the rest of the claimed invention” (see pages 7 – 8 of the Office Action). As claim 14 now also substantially recites this limitation, the undersigned representative respectfully submits that this claim (and the claims that depend from claim 14) are now allowable over the prior art and respectfully requests that this rejection be withdrawn.

Rejection of claim 18 under 35 U.S.C § 103(a)

According to well-established precedent, the Patent Office bears the initial burden of factually supporting any prima facie conclusion of obviousness. Referring to MPEP § 2142, in order to establish a prima facie case of obviousness, three basic criteria must be met:

(1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings;

(2) there must be a reasonable expectation of success; and

(3) the prior art reference (or references when combined) must teach or suggest all the claim limitations.

Further, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

In the present Office Action, claim 18 is rejected as being obvious over the teachings of McDonald. As noted above, claim 14 has been amended in a manner that is believed to make it allowable over the prior art. Since claim 18 depends from claim 14, the undersigned representative respectfully submits that claim 18 is therefore now also allowable and respectfully requests that this rejection be withdrawn.

Rejection of claim 21 under 35 U.S.C. § 103(a)

In the present Office Action, claim 21 is rejected as being obvious over the teachings of McDonald in view of the teachings of Bussells. As noted above, claim 14 has been amended in a manner that is believed to make it allowable over the prior art. Since claim 21 depends from

claim 14, the undersigned representative respectfully submits that claim 21 is therefore now also allowable and respectfully requests that this rejection be withdrawn.

Allowable subject matter of claims 22-27

In the present Office Action, the Examiner has indicated that claims 22 – 27 would be allowable if rewritten to overcome the rejection under 35 U.S.C § 112, second paragraph. As noted above, the undersigned representative has amended claim 22 to overcome the rejection under 35 U.S.C. § 112. Therefore, the undersigned representative respectfully submits that these claims are now allowable in their present form.

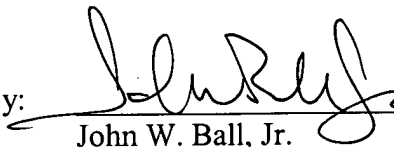
CONCLUSION

In view of the above amendments and comments, and the Examiner's indication of allowable material, it is respectfully submitted that the application is now in a condition for allowance. Accordingly, issuance of a Notice of Allowance is earnestly solicited.

The undersigned representatives reserve the right to file continuations to seek protection for other novel aspects of the present invention, including those included in any cancelled claims. Should the Examiner have any comments, questions or suggestions of a nature necessary to expedite prosecution of the application, he/she is courteously requested to contact the undersigned representative at the number listed below. Furthermore, if any additional fees are required in connection with the filing of this response, the Commissioner is hereby authorized to charge the same to Deposit Account No. 501458.

Respectfully submitted,

Date: 2/2/06
KILPATRICK STOCKTON LLP
Suite 900
607 14th Street, N.W.
Washington, D.C. 20005
(202) 508-5800 (phone)
(202) 508-5858 (fax)

By: 
John W. Ball, Jr.
Registration No. 44,433